

Message Text

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43

ACTION SCSE-00

INFO OCT-01 EUR-12 ISO-00 L-03 /016 W

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P 131751Z MAY 76

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC PRIORITY 6894

UNCLAS BRUSSELS 04807

E.O. 11652: N/A

TAGS: CPRS,BE(KAUFMAN,RICHARD)

SUBJECT: COMPENSATION FOR INQUIRIES RECEIVED IN ROAD ACCIDENT

REF: STATE 117421

1. CONSULAR OFFICER HAS DISCUSSED KAUFMAN CASE AT LENGTH WITH KAUFMAN,SR.'S BELGIAN ATTORNEY. THE ATTORNEY STATED THAT FIRST, OR CIVIL PHASE OF CASE TERMINATED. THE PROSECUTING ATTORNEY OF LOUVAIN, ACCORDING TO LAWYER,DOES NOT BELIEVE THAT DRIVER OF TRUCK THAT HIT RICHARD KAUFMAN CAN BE HELD CRIMINALLY LIABLE AND REFUSES TO INSTITUTE CRIMINAL CHARGES. KAUFMAN,SR.'S LAWYER BELIEVES FIRMLY THAT PROSECUTING ATTORNEY IS WRONG IN THIS DECISION AND HE STATED HE IS PROCEEDING TO MAKE APPROPRIATE APPEALS ACCORDING TO BELGIAN LAW. HE CAUTIONED THAT BELGIAN COURTS MOVE MUCH MORE SLOWLY IN THESE MATTERS THAN U.S. COURTS AND PATIENCE IS REQUIRED. HE IS GUARDEDLY OPTIMISTIC THAT HE WILL SUCCEED IN HIS EFFORTS TO OBTAIN CRIMINAL DAMAGES.

2. KAUFMAN LAWYER STATED THAT HE RECENTLY OBTAINED ADVANCED SETTLEMENT OF 200,000 BELGIAN FRANCS (ABOUT DOLS 5,000) FROM INSURANCE COMPANY THAT INSURED RICHARD KAUFMAN THROUGH GROUP POLICY HELD BY UNIVERSITY OF BRUSSELS. A MUCH LARGER AMOUNT WILL SOON BE FORTHCOMING AS FINAL INSURANCE SETTLEMENT.NOTE: THIS ACTION IS COMPLETELY SEPARATE FROM ISSUE INVOLVING CRIMINAL PERSECUTION OF TRUCK DRIVER.

3. KAUFMAN'S LAWYER STATED THAT HE IS ABSOLUTE AGREEMENT WITH KAUFMAN,SR. THAT RICHARD KAUFMAN HAS SUFFERED AN INJUSTICE AND THAT HE WILL CONTINUE VIGOROUSLY TO PROSECUTE CASE ACCORDING TO
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ESTABLISHED LOCAL JUDICIAL PROCEDURES.IT IS CONSULAR OFFICER'S

IMPRESSION THAT BELGIAN LAWYER IS ACTIVELY AND CONSCIENTIOUSLY REPRESENTING THE INTERESTS OF RICHARD KAUFMAN.

4. BELGIAN LAWYER STATES HE IS CURRENTLY IN TOUCH WITH KAUFMAN, SR. ABOUT DEVELOPMENTS IN THIS CASE.

5. EMBASSY DOES NOT SEE HOW IT CAN FOR MOMENT INTERVENE IN THIS BELGIAN JUDICIAL PROCEEDING SINCE AVENUES OF LEGAL REMEDIES ARE STILL OPEN TO KAUFMAN. PLEASE ADVISE IF THIS IS CORRECT PROCEDURE.

6 DETAILED LETTER SENT TO KAUFMAN,SR., ON MAY 13.
FIRESTONE

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